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Docket No. 10762-9

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Bitler et al  
Application No. 09/733,744  
Filed: 12/08/2000  
Title: Polymeric Modifying Agents

Group Art Unit 1924  
Examiner: T. Yoon

**by fax to 571-273-1128**  
**for the attention of Examiner Yoon**

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Mail Stop AF, Commissioner for Patents  
P.O. Box 1450, Alexandria, Virginia 22313-1450

**AMENDMENT**

This paper is being filed in response to the telephone messages from the Examiner to the undersigned on July 21 and 22, 2004. The delay in response is regretted. The Examiner is asked to call the undersigned, after considering this paper, to confirm that this paper answers the outstanding questions or to advise what further information is needed.

1. Applicant agrees that the claim which is now present between claims 70 and 72 and which is numbered 92, should be renumbered as claim 71. The Examiner is asked to make the appropriate amendment by way of an Examiner's amendment.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being sent by facsimile to **571-273-1128**  
on July 28, 2004

Typed name of person signing this certificate: T. H. P. Richardson  
Signature



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2. The Examiner suggested that priority from the PCT application should be claimed under 35 USC 371, rather than under 35 USC 119 and 365 (a). However, since the PCT application in question does not designate the United States, it is believed that the claim to priority is correctly made under 35 USC 119 and 365 (a). Thus, 35 USC 365 (a) reads as follows (emphasis added):

*In accordance with the conditions and requirements of subsections (a) through (d) of section 119 of this title, a national application shall be entitled to the right of priority based on a prior filed international application **which designated at least one country other than the United States.***

A copy of the front page of the PCT application from which priority is to be claimed is attached. As the Examiner will see, this PCT application claims priority from the original US patent application Serial No. 08/399,724, filed March 7, 1995 (from which this application also claims priority), and does not include the United States in the list of Designated States.

3. This paragraph raises an issue which results only indirectly from the Examiner's telephone messages.

The Examiner will also see, from the attached front page of the PCT application from which priority is to be claimed, that the Application Number of this PCT application is PCT/US96/03023, filed March 6, 1996, whereas the present application incorrectly refers (on page 1, line 8) to Application No. PCT/US96/30023. The fact that the application number given on page 1, line 8, is incorrect is immediately apparent when it is realized that the total number of PCT applications filed in the US Receiving Office in 1996 was less than 30,000 (the total number was in fact 20,828, as can be seen from the attached page of statistics from the appropriate web site).

It is believed that it would be appropriate for the Examiner to make the appropriate correction to page 1, line 8, of the specification, by way of an Examiner's amendment.

4. As requested by the Examiner, full details of the inventors of this application are set out below, in the same form as in the signed Declaration.

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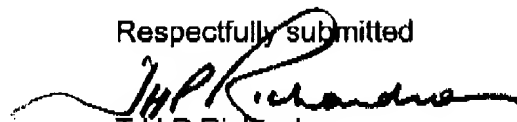
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It is believed that this application is now in condition for allowance. If this is not correct, the Examiner is asked to telephone the undersigned

Respectfully submitted

  
T.H.P. Richardson

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**PCT**WORLD INTELLECTUAL PROPERTY ORGANIZATION  
International Bureau

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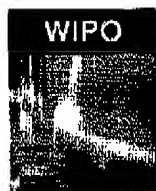
## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification 6 : <b>C08L 101/00, C08G 81/00, C08J 3/24</b>	<b>A1</b>	(11) International Publication Number: <b>WO 96/27641</b> (43) International Publication Date: 12 September 1996 (12.09.96)
(21) International Application Number: <b>PCT/US96/03023</b> (22) International Filing Date: <b>6 March 1996 (06.03.96)</b> (30) Priority Data: 08/399,724                      7 March 1995 (07.03.95)                      US (71) Applicant: <b>LANDEC CORPORATION [US/US]; 3603 Haven Avenue, Menlo Park, CA 94025-1010 (US).</b> (72) Inventors: <b>BITLER, Stephen, P.; 444 University Drive, Menlo Park, CA 94025 (US). STEWART, Ray, F.; 2567 Hampton Avenue, Redwood City, CA 94061 (US). WANTHAL, Mark, A.; 8 Admiralty Place, Redwood City, CA 94065 (US).</b> (74) Agents: <b>SHELDON, Jeffrey, G. et al.; Sheldon &amp; Mak, Suite 900, 225 South Lake Avenue, Pasadena, CA 91101 (US).</b>	(81) Designated States: <b>AL, AM, AT, AU, AZ, BB, BG, BR, BY, CA, CH, CN, CZ, DE, DK, EE, ES, FI, GB, GE, HU, IS, JP, KE, KG, KP, KR, KZ, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, TJ, TM, TR, TT, UA, UG, UZ, VN, ARIPO patent (KE, LS, MW, SD, SZ, UG), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG).</b>  <b>Published</b> <i>With international search report.          Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i>	
(54) Title: <b>POLYMERIC COMPOSITION</b>  (57) Abstract  Novel modifying agents contain a sharply-melting crystalline polymer moiety, preferably a side chain crystalline (SCC) moiety, and an active chemical moiety. Such modifying agents, especially when in the form of particles, can be placed in contact with a matrix, will not modify the matrix below the crystalline melting point $T_p$ , but will rapidly modify the matrix above $T_p$ . The active chemical moiety can react with the matrix, catalyze a reaction of the matrix, or inhibit a reaction of the matrix. Particularly useful compositions are polymer precursors which are storage-stable at low temperatures but which are rapidly converted to cross-linked resins when heated to temperatures above $T_p$ , optionally in the presence of light.		

## The PCT in 1996: Statistics

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## The Patent Cooperation Treaty (PCT) in 1996

### Statistics

The following graph shows the number of international applications received by the International Bureau since the beginning of PCT operations:

Number of international applications received since 1978  
(statist1.gif; 7kB)

The following table shows, by country of origin, the number of international applications received by the International Bureau in 1996 as compared with 1995:

Country of origin[2]

Number of applications

[ printable version ]

		1996	(1995)	1996
US	United States of America	20,828	(16,588)	44.0
DE	Germany	5,695	(5,054)	12.0
JP	Japan	3,861	(2,700)	8.2
GB	United Kingdom[3]	3,440	(3,425)	7.3
FR	France	2,307	(1,808)	4.9
SE	Sweden	1,844	(1,572)	3.9
NL	Netherlands	1,589	(1,297)	3.4
CH	Switzerland[4]	1,075	(786)	2.3
CA	Canada	940	(786)	2.0
AU	Australia	873	(877)	1.8
FI	Finland	703	(718)	1.5
IT	Italy	652	(570)	1.4
DK	Denmark	580	(554)	1.2
RU	Russian Federation	366	(288)	0.8
AT	Austria	335	(332)	0.7
NO	Norway	312	(246)	0.7
BE	Belgium	291	(232)	0.6
ES	Spain	273	(170)	0.6
KR	Republic of Korea	260	(192)	0.5
IL	Israel	203	(-)	0.4
NZ	New Zealand	153	(140)	0.3
IE	Ireland	119	(76)	0.2
CN	China	114	(106)	0.2
HU	Hungary	77	(68)	0.2
BR	Brazil	57	(66)	0.1
LU	Luxembourg	41	(31)	<0.1
SI	Slovenia	32	(32)	<0.1
CZ	Czech Republic	31	(28)	<0.1
GR	Greece	28	(25)	<0.1
SG	Singapore	25	(21)	<0.1
MX	Mexico	24	(10)	<0.1
BG	Bulgaria	21	(12)	<0.1
SK	Slovakia	21	(10)	<0.1
PL	Poland	19	(22)	<0.1
UA	Ukraine	14	(10)	<0.1